

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION**

**CIVIL NO. 1:04CV112**

**WADE D. BURNS,**

**Plaintiff,**

**vs.**

**TOWN OF MONTREAT, *et al.*,**

**Defendants.**

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**ORDER**

**THIS MATTER** is before the Court *sua sponte* to continue the trial from the September 2005 term in the Asheville Division.

The Court has under advisement the Defendants' motion for summary judgment; the Court will not complete its review of this motion in time for the parties to adequately prepare for trial for the September 2005 term.

**IT IS, THEREFORE, ORDERED** that the Clerk calendar this case for trial during the Court's November 2005 term in the Asheville Division.

**Signed: August 11, 2005**

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', written over a horizontal line.

Lacy H. Thornburg  
United States District Judge

